

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Dorothea Reynolds, :
Plaintiff : Civil Action 2:11-cv-00277
v. : Judge Marbley
Robert W. Smith, *et al.*, : Magistrate Judge Abel
Defendants :
:

Discovery Dispute Conference Order

On May 7, 2013, counsel for the parties participated in a discovery dispute conference about the depositions to be taken tomorrow at the Ohio Reformatory for Women.

Defendants want to limit the depositions to the issues raised by their April 11, 2013 motion for summary judgment. Defendants' counsel suggested depositions of 1-2 hours duration. Plaintiff's counsel does not want to be limited in the amount of time for each deposition beyond the 7 hour limitation imposed by Rule 30(d)(1). Plaintiff's counsel further stated a concern that defendants had also moved for summary judgment on the ground of qualified immunity. Defendants' counsel responded that the qualified immunity argument is solely based on plaintiff's failure to exhaust prison administrative remedies and contains no fact-based merits arguments.

Given that representation, I asked plaintiff's counsel to start with Ms. Raneri's deposition and conclude as many of the four depositions as is reasonable. If plaintiff's counsel are unable to complete a deposition, they are free to so state on the record and leave the deposition open to be resumed at a later date. It is entirely up to plaintiff's counsel how they use their allotted up to 7 hours of actual deposition time with each witness.

s/Mark R. Abel
United States Magistrate Judge